

### **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheet" of drawings includes changes to Figures 1 and 2. The attached "Replacement Sheet," which includes Figures 1 and 2, replaces the original sheet including Figures 1 and 2.

Attachment: Replacement Sheet

### **REMARKS**

Claims 21-44 are now pending in the application. Claims 1-20 have been cancelled. Claims 21-25, 27-29, 32-40 and 42 have been amended. Claims 43 and 44 are new. Support for the foregoing amendments can be found throughout the specification, drawings and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **DRAWINGS**

The drawings stand objected to for certain informalities. Applicant has attached revised drawings for the Examiner's approval. In the "Replacement Sheet" Figures 1 and 2 are labeled as "Prior Art."

### **PRIORITY**

Applicant hereby submits a certified copy of International Application PCT/CN05/00031.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 7,031,722 B2, Naghian (hereinafter Naghian), in view of US 2004/0203914 A1 Kall et al. (hereinafter Kall).

Claims 25-42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 7,031,722 B2, Naghian (hereinafter Naghian), in view of US 2004/0203914 A1 Kall et al. (hereinafter Kall), and further in view of US 7,277,711 B2, Nyu (hereinafter Nyu).

These rejections are respectfully traversed.

Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness. The Examiner has not properly resolved the *Graham* factual inquiries, the proper resolution of which is the requirement for establishing a framework for an objective obviousness analysis. See MPEP § 2141(II), citing to *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), as reiterated by the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007).

Applicant respectfully submits that the Examiner has not properly determined the scope and content of the prior art, and has not properly ascertained the differences between the claimed invention and the prior art, at least because the Examiner has not interpreted the prior art and considered both the invention and the prior art as a whole. See MPEP § 2141(II) (B).

### **A. Claims 21-24**

Applicant respectfully submits that the references cited, taken individually or in combination, do not teach or suggest all the limitations of claim 21-24.

Applicant has amended independent claim 21 for clarification. Support can be found for example at page 13, lines 16-20 of the specification originally filed.

Naghian at best appears to show certain features for positioning a mobile station and using mobile originated location request (MO-LR) for circuit calls. An initially idled MS sends a CM (Connection Management) Service Request indicating a request for an MOC (mobile originated call) to a 3G-MSC via a RNC. The 3G-MSC may initiate procedures to obtain the location of the MS. Depending on local regulatory requirements, the 3G-MSC may send a MAP subscriber location report to a GMLC.

Kall at best appears to show providing location information in a communication system. Kall shows three types of GMLCs: a requesting GMLC (R-GMLC), a home GMLC (H-GMLC) and a visited GMLC (V-GMLC).

Applicant submits that Naghian in view of Kall fails to teach or suggest at least the following features of claim 21:

Feature 1: "the CN sending the location estimate of the target UE to a Visited Gateway Mobile Location Center (V-GMLC) of the target UE."

Feature 2: "the V-GMLC sending the location estimate of the target UE to the target UE via the CN."

Naghian shows that the 3G-MSC/VLR directly sends a CM\_LCS\_REQUEST\_ACK to the MS and a MAP\_SUBSCRIBER\_LCS\_RESPO to the GMLC, but does not disclose that the GMLC sends the MAP\_SUBSCRIBER\_LCS\_RESPO to the ME.

Therefore, the procedure of transmitting the MAP\_SUBSCRIBER\_LCS\_RESPO of Naghian differs from the claimed features of transmitting the location estimate of the target UE of claim 21. The claimed features require that the CN sends the location estimate of the target UE to the Visited Gateway Mobile Location Center (V-GMLC) of the target UE, and then, the V-GMLC sends the location estimate of the target UE to the target UE via the CN.

Furthermore, Naghian at best shows that the 3G-MSC/VLR sends two types of messages, i.e. CM\_LCS\_REQUEST\_ACK and MAP\_SUBSCRIBER\_LCS\_RESPO, to MS and GMLC, respectively. In contrast, Feature 1 and Feature 2 of claim 21 require a single type of message, i.e. the location estimate of the target UE.

Thus, Naghian does not teach or suggest the limitations of "the V-GMLC sending the location estimate of the target UE to the target UE via the CN" and "the V-GMLC sending the location estimate of the target UE to the target UE via the CN" of claim 21.

Further, Applicant submits that Kall fails to cure the deficiencies of Naghian. Kall does not teach or suggest the limitations of "the V-GMLC sending the location estimate of the target UE to the target UE via the CN" and "the V-GMLC sending the location estimate of the target UE to the target UE via the CN" of claim 21.

Furthermore, Naghian shows that the target UE specifies address information of a GMLC of the target UE in the request, which leads to a technical problem that if the current located CN of the target UE and the GMLC specified by the target UE are in different networks, the current located CN of the target UE may not be able to access the GMLC. That is to say, the CN would not use the GMLC of its network (i.e. a V-GMLC to the target UE), but rather use the GMLC specified in the request (e.g. the H-GMLC of the target UE).

In contrast, claim 21 requires that the V-GMLC sends the location estimate of the target UE to the target UE via the CN, and the V-GMLC sends the location estimate of the target UE to the target UE via the CN. Thus, one or more embodiments of claim 21 may address the above mentioned technical problem.

Further, Kall does not teach or suggest the limitations of "the V-GMLC sending the location estimate of the target UE to the target UE via the CN" and "the V-GMLC sending the location estimate of the target UE to the target UE via the CN" of the claim 21.

At the first and second paragraphs of page 4 of the Office action, the Examiner asserts that Naghian's GMLC can be either visited GMLC (V-GMLC), home GMLC (H-GMLC) or both and that Kall teaches H-GMLC and V-GMLC. The Examiner thus asserts that the cited references disclose the above mentioned Feature 1. Applicant respectfully traverses the Examiner's assertion.

Firstly, Applicant respectfully submits that Naghian only shows a GMLC (Home PLMN or other PLMN) and 3G-MSC. The 3G-MSC may have access to the GMLC for

transforming the subscriber information needed (e.g., for authorization and positioning access routing).

Second, the Kall only shows that there are three types of GMLCs: a requesting GMLC (R-GMLC), a home GMLC (H-GMLC) and a visited GMLC (V-GMLC).

Hence, Applicant submits that one skilled in the art would not combine Naghian with Kall, because Naghian does not disclose a visited GMLC (V-GMLC) and Kall does not disclose a CN sends location estimate of the target UE to the V-GMLC.

Therefore, Naghian and Kall, taken alone or in combination, do not teach or suggest the limitation of "the CN sending the location estimate of the target UE to the Visited Gateway Mobile Location Center (V-GMLC) of the target UE."

For at least the above noted reasons, Naghian in view of Kall fails to teach or suggest all the limitations of claim 21. Thus, Applicant respectfully requests withdrawal of the rejection of independent claim 21.

Dependent claims 22-24 depend directly or indirectly from independent claim 21 and incorporate all of the limitations thereof. Accordingly, for the reason established above as well as the additional limitations, Applicant respectfully submits that claims 22-24 are not obvious in light of the suggested combination and respectfully requests for allowance of these claims.

### **B. Claims 25-42**

Similar to the arguments above with respect to claims 21-24, dependent claims 25-32 depend directly or indirectly from independent claim 21 and incorporate all of the limitations of independent claim 21. Accordingly, for the reason established above as well as the additional limitations, Applicant respectfully submits that claims 25-32 are not obvious in light of the suggested combination and respectfully requests for allowance of these claims.

Independent claim 33 recites a method for processing location information request initiated by a User Equipment, comprising "the CN sending the location estimate of the target UE to a V-GMLC of the target UE" and "the V-GMLC sending the location estimate of the target UE to the target UE via the CN." Arguments similar to those with respect to claim 21 apply to Claim 33. Thus, claim 33 should be allowable as well. Accordingly, for the reason established above as well as the additional limitations, dependent claim 34-42 are not obvious in light of the suggested combination. Applicant respectfully requests for allowance of these claims.

### **NEW CLAIMS**

Claims 43-44 are new. Applicant believes the new claims also define over the art cited by the Examiner.



## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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